

REMARKS**I. Introduction**

Claims 1-23 are pending in the above application.

Claims 1, 6-9, 17 and 20-23 stand rejected under 35 U.S.C. § 102.

Claims 2-5, 10-16 and 18-19 stand rejected under 35 U.S.C. § 103.

Claims 1, 9, 17, 18, 20, and 22 are independent claims.

II. Prior Art Rejections

A. Claims 1, 6-9, 17 and 20-23 stand rejected under 35 U.S.C. § 102 as being anticipated by Lin et al. (U.S. Pat. 6,603,849).

Anticipation under 35 U.S.C. § 102 requires that each and every element of the claim be disclosed in a prior art reference as arranged in the claim. See, *Akzo N.V. v. U.S. Int'l Trade Commission*, 808 F.2d 1471 (Fed. Cir. 1986); *Connell v. Sears, Roebuck & Co.*, 220 USPQ 193, 198 (Fed. Cir. 1983).

Lin does not disclose or suggest a method of seamlessly transferring a communication session between a first device and a correspondent device on an IP network to another device via the IP address of the first device. Lin merely discloses to forward a telephone call from one network element to another network element to allow a mobile unit to complete a call when it roams out of its network or to connect to a pre-designated secondary device before establishing the call. See, col. 3: 25 through col. 4: 44; and col. 5: 13-25. Lin does not disclose to transfer a communication session (i.e. an on on-going communication) between a first device and a correspondent device to another device via the IP address of the first device. More particularly,

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Lin discloses to use alternative numbers associated with the network elements to initially complete a call to a mobile station (MS) 20 or alternative endpoint when it is being serviced by different networks, i.e. the alternative numbers referred to in Lin are concerned with the various network elements required to complete a call to MS 20 or another endpoint, they are not concerned with transferring a session from MS 20 to another user device. See, col. 4: 45 through col. 6: 12. Moreover, Lin does not disclose to use an IP address of MS 20 (if there is any) to transfer a session from itself to another device.

Accordingly, as Lin does not disclose each and every element of any of independent claims 1, 9, 17, 20 or 22, Lin does not anticipate any of these claims. Likewise, since claims 6-8 depend on claim 1 and incorporate all of the limitations thereof, and claim 21 depends on claim 20 and incorporates all of the limitations thereof, Lin does not anticipate these claims as well. Hence, Applicant respectfully requests the rejection to be withdrawn.

B. Claim 5 stands rejected under 35 U.S.C. § 102 as being unpatentable over Lin alone.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. *Ecolchem Inc. v. Southern California Edison Co.*, 227 F.3d 1361, 56 U.S.P.Q.2d (BNA) 1065 (Fed. Cir. 2000); *In re Dembiczak*, 175 F.3d 994, 999, 50 U.S.P.Q.2D (BNA) 1614, 1617 (Fed. Cir. 1999); *In re Jones*, 958 F.2d 347, 21 U.S.P.Q.2d 1941 (Fed. Cir. 1992); and *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988). See also MPEP 2143.01.

Lin does not disclose or suggest to transfer a communication session between a first device and correspondent device to a second device which includes the step of generating a wake-up message once the communication session is no longer to be transferred and cause the first device to resume receiving communication sessions addressed to its IP address. The Office action appears to acknowledge the deficiency in Lin, but concludes that it would have been obvious. However, Lin does not even disclose to transfer a communication session from one device to another at all, as discussed above. Indeed, in the portions of Lin relied upon by the examiner, the only device even identified is MS 20. Moreover, Lin is concerned with a call completion with a single device (MS 20) in different network, i.e. call set up (see, Fig. 4, the last step is "connect call"), there is no discussion of transferring an active communication session to another device and then back to the first device.

Accordingly, as Lin neither discloses nor suggests all of the limitations of claim 5, Lin does not render claim 5 unpatentable.

C. Claims 2-4 and 10-16 stand rejected under 35 U.S.C. § 102 as being anticipated by Lin in view of Patel (U.S. Pat. 6,591,364).

Neither Lin nor Patel, taken alone or in combination disclose or suggest all of the limitations of claims 2-4 or 10-16, which depend on and incorporate the limitations of claims 1 and 9, respectively. Lin does not disclose the limitations of either claims 1 or 9 as discussed above. Patel also does not disclose such, and the Office action does not rely on Patel as disclosing such.

Accordingly, as neither Lin nor Patel, taken alone or in combination do not disclose or suggest all of the claimed limitations of claims 2-4 nor 10-16, the combination of Lin and Patel does not render these claims unpatentable.

D. Claims 18-19 stand rejected under 35 U.S.C. § 102 as being anticipated by Lin in view of Johnston (U.S. Pat. 6,373,946)

Neither Lin nor Johnson, taken alone or in combination disclose or suggest transferring a communication session between a transferring node and a correspondent node to a target node, which includes negotiating a session transfer, generating a random number to serve as session key. Lin does not disclose to transfer a session to another device as discussed above. Johnson also does not disclose such, and the Office action does not rely on Johnson as disclosing such.

Accordingly, as neither Lin nor Johnson, taken alone or in combination do not disclose or suggest all of the claimed limitations of claim 18, nor claim 19 which depends on claim 18, the combination of Lin and Patel does not render these claims unpatentable.

III. Conclusion

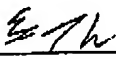
Having fully responded to the Office action, the application is believed to be in condition for allowance. Should any issues arise that prevent early allowance of the above application, the examiner is invited contact the undersigned to resolve such issues.

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To the extent an extension of time is needed for consideration of this response, Applicant hereby request such extension and, the Commissioner is hereby authorized to charge deposit account number 502117 for any fees associated therewith.

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Respectfully submitted,

By: 
Lawrence T. Cullen
Reg. No.: 44,489

Motorola Connected Home Solutions
101 Tournament Drive
Horsham, PA 19044
(215) 323-1797